

SENATE BILL 365  
By Miller J

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 7;  
Title 6, Chapter 54 and Title 13, relative to regulation of  
radio antennas.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 54, Part 1, is amended by  
adding the following language as a new section:

Section 6-54-130.

(a) A municipality or county that regulates the placement, screening or height of  
radio antennas shall reasonably accommodate amateur radio antennas. A municipality  
or county may impose only the minimum requirements relating to amateur radio  
antennas that are necessary to accomplish the legitimate purposes intended to be  
served by the requirements.

(b) A municipality or county may not restrict the number of support structures for  
an amateur radio antenna. Based on the most recently published United States census,  
restrictions on amateur radio height may not be lower than:

(1) Two hundred feet (200') above ground level as permitted by the  
federal communications commission in an area with a population density less

than one hundred twenty (120) persons per square mile for an antenna on a lot that is a minimum of five (5) acres;

(2) Sixty-five feet (65') above ground level in an area with a population density of more than one hundred twenty (120) persons per square mile for an antenna on a lot that is smaller than one (1) acre; or

(3) Seventy-five feet (75') above ground level in an area with a population density of more than one hundred twenty (120) persons per square mile for an antenna on a lot that is one (1) acre or larger.

(c) Subject to subsections (a) and (b) of this section, a municipality or county may, by ordinance or other official act of the governing body, impose requirements to meet clearly defined objectives relating to screening, placement, aesthetic and health and safety factors with respect to the erection, maintenance and operation of amateur radio antennas.

(d) Antenna structures in excess of limits set in (b)(1), (2) and (3) as permitted by the federal communications commission shall be allowed by appeal to the local planning authority of the municipality or county or in the absence of a planning body, appeals will heard by the local government entity. In deciding whether to grant applications for amateur radio antennas, factors to be considered will include aesthetics, health and safety, and structures residing on the same lot and adjacent lots shall be determining factors in the evaluation of each individual request.

(e) An ordinance or other act regulating or restricting radio antennas adopted under this section shall not apply to a radio antenna that was erected before the effective date of this act.

(f) This section applies to all municipalities and counties.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.

